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UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No. 190251-1771
		First Inventor Fleming, et al.
		Title Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network Based on Available Resources
		Express Mail Label No. EV269328992US

APPLICATION ELEMENTS <small>See MPEP Chapter 600 concerning utility patent application contents</small>		ADDRESS TO:	
		Mail Stop: Patent Applications Commissioner for Patents P.O. box: 1450 Alexandria, VA 22313-1450	
<input type="checkbox"/> APPLICANT REQUESTS EARLY PUBLICATION UNDER 37 CFR 1.219 (additional fee)			
1.	<input checked="" type="checkbox"/>	Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i>	
2.		Applicant claims small entity status. See CFR 1.27	
3.	<input checked="" type="checkbox"/>	Specification <i>(preferred arrangement set forth below)</i>	[Total Pages] 39
		<ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed. Sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (<i>if filed</i>) - Detailed Description - Claim(s) - Abstract of the Disclosure 	
4.	<input checked="" type="checkbox"/>	Drawing(s) (35 USC 113)	[Total Sheets] 9
5.		Oath or Declaration	[Total Pages] 3
a.	<input type="checkbox"/>	Newly Executed (original or copy)	
b.	<input checked="" type="checkbox"/>	Copy from a prior application (37 CFR §1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i>	
i.	<input type="checkbox"/>	DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	
6.	<input type="checkbox"/>	Application Data Sheet. See 37 CFR 1.76	
Assignee Name and Address <i>(if applicable)</i>			
7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)			
8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>			
a. <input type="checkbox"/> Computer Readable Copy (CRF)			
b. <input type="checkbox"/> Specification Sequence Listing on:			
i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or			
ii. <input type="checkbox"/> Paper			
c. <input type="checkbox"/> Statements verifying identity of above copies			
ACCOMPANYING APPLICATION PARTS			
9.	<input type="checkbox"/>	Assignment Papers (cover sheet & Documents(s))	
10.	<input checked="" type="checkbox"/>	37 CFR 3.73(b) Statement <i>(when there is an assignee)</i>	<input checked="" type="checkbox"/> X Power of Attorney
11.	<input type="checkbox"/>	English Translation Document (<i>if applicable</i>)	
12.	<input type="checkbox"/>	Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13.	<input type="checkbox"/>	Preliminary Amendment	
14.	<input checked="" type="checkbox"/>	Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
15.	<input type="checkbox"/>	Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
16.	<input type="checkbox"/>	Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
17.	<input type="checkbox"/>	Other: _____	

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: 09/132,961.

Prior application information: *Examiner Knowline, Thjuan P.*

Group / Art Unit: *2642*

For CONTINUATION OR DIVISIONAL APPS only: the entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)	24504	<input type="checkbox"/> Correspondence address below			
NAME	Jeffrey R. Kuester Thomas, Kayden, Horstemeyer & Risley, L.L.P.				
ADDRESS	100 Galleria Parkway Suite 1750				
CITY	Atlanta	STATE	Georgia	ZIP CODE	30339-5948
COUNTRY	U.S.A.	TELEPHONE	770-933-9500	FAX	770-951-0933
Name (Print/Type)	Jeffrey R. Kuester		Registration No. (Attorney/Agent)	34,367	
Signature			Date	8/8/03	



FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revisions.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) **750.00**

Complete If Known

Application Number	To Be Assigned
Filing Date	Even Date Herewith
First Named Inventor	Fleming, et al.
Examiner Name	Knowline, Thjuan P.
Group / Art Unit	2642
Attorney Docket No.	190251-1771

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number

20-0778

Deposit Account Name

Thomas, Kayden, Horstemeyer Risley, L.L.P.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility Filing Fee	750
1002	330	2002	165	Design Filing Fee	
1003	520	2003	260	Plant Filing Fee	
1004	750	2004	375	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1)		(\$)	750.00		

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee From Below	Fee Paid
20	- 20** =	0	X 18.00	= 0	
3	- 3** =	0	X 84.00	= 0	
			280.00	=	

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)	0.00	

**or number previously paid, if greater; For Reissues, see above

FEES CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130		2051	65		Surcharge-late filing fee or oath	
1052	50		2052	25		Surcharge-late provisional filing fee or cover sheet	
1053	130		1053	130		Non-English specification	
1812	2,520		1812	2,520		For filing a request for ex parte reexamination	
1804	920*		1804	920*		Requesting publication of SIR prior to Examiner action	
1805	1,840*		1805	1,840*		Requesting publication of SIR after Examiner action	
1251	110		2251	55		Extension for reply within first month	
1252	410		2252	205		Extension for reply within second month	
1253	930		2253	465		Extension for reply within third month	
1254	1,450		2254	725		Extension for reply within fourth month	
1255	1,970		2255	985		Extension for reply within fifth month	
1401	320		2401	160		Notice of Appeal	
1402	320		2402	160		Filing a brief in support of an appeal	
1403	280		2403	140		Request for oral hearing	
1451	1,510		1451	1,510		Petition to institute a public use proceeding	
1452	110		2452	55		Petition to revive-unavoidable	
1453	1,300		2453	650		Petition to revive-unintentional	
1501	1,300		2501	650		Utility issue fee (or reissue)	
1502	470		2502	235		Design issue fee	
1503	630		2503	315		Plant issue fee	
1460	130		1460	130		Petitions to the Commissioner	
1807	50		1807	50		Processing fee for provisional application	
1806	180		1806	180		Submission of Information Disclosure Stmt	
8021	40		8021	40		Recording each patent assignment per property (times number of properties)	
1809	750		2809	375		Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750		2810	375		For each add. invention to be examined (37 CFR 1.129(b))	
1801	750		2801	375		Request for Continued Examination (RCE)	
1802	900		1802	900		Request for expedited exam. of a design application	
Other fee (specify)		(\$)	0.00				
SUBTOTAL (3)		(\$)	0.00				

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	Jeffrey R. Kuester	Registration No. 34,367	Telephone Number	770-933-9500
Signature			Date	

WARNING: Information on this form may become public. Credit Card Information should not

Be included on this form. Provide credit card information and authorization on PTO-2038

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Fleming, et al.

For: Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network Based on Available Resources

CERTIFICATE OF EXPRESS MAIL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard
Utility Patent Application Transmittal (1 Page)
Fee Transmittal (1 Page)
PTO-2038 Form authorizing payment of \$750.00 for Continuing Application filing fees (1 Page)
Continuing Utility Patent Application from serial no. 09/132,961 consisting of:
33 Pages of Specification
5 Pages of Claims (Claims numbered 1-20)
1 Page of Abstract
9 Pages of Formal Drawings (FIGs 1-10)
Declaration for Patent Application copy from Parent Application No. 09/132,961 (3 Pages)
Power of Attorney documents

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,

Jeffrey R. Kuester, Reg. No. 34,367



THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948

Our Docket No: **190251-1771**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EV269328992US**.

Date: 8-803

Signature -

